In the High Court for the States of Punjab and Haryana, at Chandigarh.

FAO No. 1053 of 2007 (O&M)
Decided on March 15,2007.

Gurdev Singh --- ---Appellant

vs.

Balbir Kaur and others ---- Respondents.

Present: Mr. R.S.Manhas, Advocate, for the appellant.

Pritam Pal,J: (Oral)

CM Nos 5282-CII of 2007

Delay of 57 days in re-filing this appeal is condoned for the reasons mentioned in the application. CM stands disposed of.

RSA No. 1053 of 2007 (O&M)

This appeal by the appellant-truck owner, is directed against order dated October 3,2006, passed by learned Commissioner, under the Workmens' Compensation Act, 1923, (hereinafter referred to as 'the Act') whereby Smt. Balbir Kaur widow, Gurjeet Singh and Manpreet Singh (minor sons) and Gagandeep Kaur (minor daughter) of Ranjit

Singh- since deceased, were granted a total compensation of Rs. 2,76,255/- on account of death of said Ranjit Singh, who was a truck driver and died due to the accident arising out and in the course of his employment on truck No. PB06 0071,owned by appellant, Gurdev Singh.

The finding given by the learned Commissioner,on the basis of evidence brought on the file on the material issues, is not perverse or un-reasonable. Even otherwise, it is a condition precedent that u/s 30 of the Act, the appeal shall be maintainable only after the awarded amount is deposited with the learned Commissioner, but here in the instant case, the same has not been deposited. The learned counsel for the appellant also could not make out any substantial question of law involved in this appeal for consideration by this Court.

Hence, the appeal stands dismissed in *limine*.

March 15,2007 (Pritam Pal)
RR Judge